

By: Fraser
(Farney)

S.B. No. 1009

A BILL TO BE ENTITLED

AN ACT

relating to the creation of Burnet County Improvement District No. 1; providing authority to levy an assessment, impose a tax, and issue bonds.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter 3913 to read as follows:

CHAPTER 3913. BURNET COUNTY IMPROVEMENT DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3913.001. DEFINITIONS. In this chapter:

(1) "Board" means the district's board of directors.

(2) "County" means Burnet County.

(3) "Director" means a board member.

(4) "District" means the Burnet County Improvement District No. 1.

Sec. 3913.002. NATURE OF DISTRICT. The Burnet County Improvement District No. 1 is a special district created under Section 59, Article XVI, Texas Constitution.

Sec. 3913.003. PURPOSE; DECLARATION OF INTENT. (a) The creation of the district is essential to accomplish the purposes of Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution, and other public purposes stated in this chapter. By creating the district and in authorizing the county and other political subdivisions to contract with the district, the

1 legislature has established a program to accomplish the public
2 purposes set out in Section 52-a, Article III, Texas Constitution.

3 (b) The creation of the district is necessary to promote,
4 develop, encourage, and maintain employment, commerce,
5 transportation, housing, tourism, recreation, the arts,
6 entertainment, economic development, safety, and the public
7 welfare in the district.

8 (c) This chapter and the creation of the district may not be
9 interpreted to relieve the county from providing the level of
10 services provided as of the effective date of the Act enacting this
11 chapter to the area in the district. The district is created to
12 supplement and not to supplant county services provided in the
13 district.

14 Sec. 3913.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

15 (a) The district is created to serve a public use and benefit.

16 (b) All land and other property included in the district
17 will benefit from the improvements and services to be provided by
18 the district under powers conferred by Sections 52 and 52-a,
19 Article III, and Section 59, Article XVI, Texas Constitution, and
20 other powers granted under this chapter.

21 (c) The creation of the district is in the public interest
22 and is essential to further the public purposes of:

23 (1) developing and diversifying the economy of the
24 state;

25 (2) eliminating unemployment and underemployment; and

26 (3) developing or expanding transportation and
27 commerce.

1 (d) The district will:

2 (1) promote the health, safety, and general welfare of
3 residents, employers, potential employees, employees, visitors,
4 and consumers in the district, and of the public;

5 (2) provide needed funding for the district to
6 preserve, maintain, and enhance the economic health and vitality of
7 the district territory as a community and business center;

8 (3) promote the health, safety, welfare, and enjoyment
9 of the public by providing pedestrian ways and by landscaping and
10 developing certain areas in the district, which are necessary for
11 the restoration, preservation, and enhancement of scenic beauty;
12 and

13 (4) provide for water, wastewater, drainage, road, and
14 recreational facilities for the district.

15 (e) Pedestrian ways along or across a street, whether at
16 grade or above or below the surface, and street lighting, street
17 landscaping, parking, and street art objects are parts of and
18 necessary components of a street and are considered to be a street
19 or road improvement.

20 (f) The district will not act as the agent or
21 instrumentality of any private interest even though the district
22 will benefit many private interests as well as the public.

23 Sec. 3913.005. INITIAL DISTRICT TERRITORY. (a) The
24 district is initially composed of the territory described by
25 Section 2 of the Act enacting this chapter.

26 (b) The boundaries and field notes contained in Section 2 of
27 the Act enacting this chapter form a closure. A mistake in the

field notes or in copying the field notes in the legislative process
does not affect the district's:

(1) organization, existence, or validity;

(2) right to issue any type of bond for the purposes
for which the district is created or to pay the principal of and
interest on the bond;

(3) right to impose or collect an assessment or tax; or

(4) legality or operation.

Sec. 3913.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

All or any part of the area of the district is eligible to be
included in:

(1) a tax increment reinvestment zone created under
Chapter 311, Tax Code;

(2) a tax abatement reinvestment zone created under
Chapter 312, Tax Code;

(3) an enterprise zone created under Chapter 2303,
Government Code; or

(4) an industrial district created under Chapter 42,
Local Government Code.

Sec. 3913.007. APPLICABILITY OF MUNICIPAL MANAGEMENT
DISTRICTS LAW. Except as otherwise provided by this chapter,
Chapter 375, Local Government Code, applies to the district.

Sec. 3913.008. CONSTRUCTION OF CHAPTER. This chapter shall
be liberally construed in conformity with the findings and purposes
stated in this chapter.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 3913.051. GOVERNING BODY; TERMS. The district is

governed by a board of five voting directors who serve staggered terms of four years, with two or three directors' terms expiring June 1 of each odd-numbered year.

Sec. 3913.052. APPOINTMENT OF VOTING DIRECTORS. The Texas Commission on Environmental Quality shall appoint voting directors from persons recommended by the board.

Sec. 3913.053. NONVOTING DIRECTORS. The board may appoint nonvoting directors to serve at the pleasure of the voting directors.

Sec. 3913.054. QUORUM. For purposes of determining the requirements for a quorum of the board, the following are not counted:

(1) a board position vacant for any reason, including death, resignation, or disqualification;

(2) a director who is abstaining from participation in a vote because of a conflict of interest; or

(3) a nonvoting director.

Sec. 3913.055. COMPENSATION. A director is entitled to receive fees of office and reimbursement for actual expenses as provided by Section 49.060, Water Code. Sections 375.069 and 375.070, Local Government Code, do not apply to the board.

Sec. 3913.056. INITIAL VOTING DIRECTORS. (a) The initial board consists of the following voting directors:

<u>Pos. No.</u>	<u>Name of Director</u>
<u>1</u>	<u>Casey Hoffman</u>
<u>2</u>	<u>Sarah Foster</u>
<u>3</u>	<u>Patricia Vojack</u>

4 Sara Woomer

5 Kevin Zarling

(b) Of the initial directors, the terms of directors appointed for positions one through three expire June 1, 2015, and the terms of directors appointed for positions four and five expire June 1, 2017.

(c) Section 3913.052 does not apply to this section.

(d) This section expires September 1, 2017.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 3913.101. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 3913.102. IMPROVEMENT PROJECTS AND SERVICES. The district may provide, design, construct, acquire, improve, relocate, operate, maintain, or finance an improvement project or service using any money available to the district, or contract with a governmental or private entity to provide, design, construct, acquire, improve, relocate, operate, maintain, or finance an improvement project or service authorized under this chapter or Chapter 375, Local Government Code.

Sec. 3913.103. DEVELOPMENT CORPORATION POWERS. The district, using money available to the district, may exercise the powers given to a development corporation under Chapter 505, Local Government Code, including the power to own, operate, acquire, construct, lease, improve, or maintain a project under that chapter.

Sec. 3913.104. NONPROFIT CORPORATION. (a) The board by

1 resolution may authorize the creation of a nonprofit corporation to
2 assist and act for the district in implementing a project or
3 providing a service authorized by this chapter.

4 (b) The nonprofit corporation:

5 (1) has each power of and is considered to be a local
6 government corporation created under Subchapter D, Chapter 431,
7 Transportation Code; and

8 (2) may implement any project and provide any service
9 authorized by this chapter.

10 (c) The board shall appoint the board of directors of the
11 nonprofit corporation. The board of directors of the nonprofit
12 corporation shall serve in the same manner as the board of directors
13 of a local government corporation created under Subchapter D,
14 Chapter 431, Transportation Code, except that a board member is not
15 required to reside in the district.

16 Sec. 3913.105. AGREEMENTS; GRANTS. (a) As provided by
17 Chapter 375, Local Government Code, the district may make an
18 agreement with or accept a gift, grant, or loan from any person.

19 (b) The implementation of a project is a governmental
20 function or service for the purposes of Chapter 791, Government
21 Code.

22 Sec. 3913.106. LAW ENFORCEMENT SERVICES. To protect the
23 public interest, the district may contract with a qualified party,
24 including the county, to provide law enforcement services in the
25 district for a fee.

26 Sec. 3913.107. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The
27 district may join and pay dues to a charitable or nonprofit

1 organization that performs a service or provides an activity
2 consistent with the furtherance of a district purpose.

3 Sec. 3913.108. ECONOMIC DEVELOPMENT. (a) The district may
4 engage in activities that accomplish the economic development
5 purposes of the district.

6 (b) The district may establish and provide for the
7 administration of one or more programs to promote state or local
8 economic development and to stimulate business and commercial
9 activity in the district, including programs to:

10 (1) make loans and grants of public money; and

11 (2) provide district personnel and services.

12 (c) The district may create economic development programs
13 and exercise the economic development powers provided to
14 municipalities by:

15 (1) Chapter 380, Local Government Code; and

16 (2) Subchapter A, Chapter 1509, Government Code.

17 Sec. 3913.109. PARKING FACILITIES. (a) The district may
18 acquire, lease as lessor or lessee, construct, develop, own,
19 operate, and maintain parking facilities or a system of parking
20 facilities, including lots, garages, parking terminals, or other
21 structures or accommodations for parking motor vehicles off the
22 streets and related appurtenances.

23 (b) The district's parking facilities serve the public
24 purposes of the district and are owned, used, and held for a public
25 purpose even if leased or operated by a private entity for a term of
26 years.

27 (c) The district's parking facilities are parts of and

1 necessary components of a street and are considered to be a street
2 or road improvement.

3 (d) The development and operation of the district's parking
4 facilities may be considered an economic development program.

5 Sec. 3913.110. ANNEXATION OF LAND. The district may annex
6 land as provided by Subchapter J, Chapter 49, Water Code.

7 Sec. 3913.111. NO EMINENT DOMAIN POWER. The district may
8 not exercise the power of eminent domain.

9 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

10 Sec. 3913.151. DISBURSEMENTS AND TRANSFERS OF MONEY. The
11 board by resolution shall establish the number of directors'
12 signatures and the procedure required for a disbursement or
13 transfer of district money.

14 Sec. 3913.152. MONEY USED FOR IMPROVEMENTS OR SERVICES.
15 The district may acquire, construct, finance, operate, or maintain
16 any improvement or service authorized under this chapter or Chapter
17 375, Local Government Code, using any money available to the
18 district.

19 Sec. 3913.153. PETITION REQUIRED FOR FINANCING SERVICES AND
20 IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a
21 service or improvement project with assessments under this chapter
22 unless a written petition requesting that service or improvement
23 has been filed with the board.

24 (b) A petition filed under Subsection (a) must be signed by
25 the owners of a majority of the assessed value of real property in
26 the district subject to assessment according to the most recent
27 certified tax appraisal roll for the county.

Sec. 3913.154. ASSESSMENTS; LIENS FOR ASSESSMENTS.

(a) The board by resolution may impose and collect an assessment for any purpose authorized by this chapter in all or any part of the district.

(b) An assessment, a reassessment, or an assessment resulting from an addition to or correction of the assessment roll by the district, penalties and interest on an assessment or reassessment, an expense of collection, and reasonable attorney's fees incurred by the district:

(1) are a first and prior lien against the property assessed;

(2) are superior to any other lien or claim other than a lien or claim for county, school district, or municipal ad valorem taxes; and

(3) are the personal liability of and a charge against the owners of the property even if the owners are not named in the assessment proceedings.

(c) The lien is effective from the date of the board's resolution imposing the assessment until the date the assessment is paid. The board may enforce the lien in the same manner that the board may enforce an ad valorem tax lien against real property.

(d) The board may make a correction to or deletion from the assessment roll that does not increase the amount of assessment of any parcel of land without providing notice and holding a hearing in the manner required for additional assessments.

Sec. 3913.155. RESIDENTIAL PROPERTY NOT EXEMPT. Section 375.161, Local Government Code, does not apply to a tax authorized

1 or approved by the district voters or a required payment for service
2 provided by the district, including water and sewer services.

3 Sec. 3913.156. TAX AND ASSESSMENT ABATEMENTS. The district
4 may designate reinvestment zones and may grant abatements of a tax
5 or assessment on property in the zones.

6 SUBCHAPTER E. TAXES AND BONDS

7 Sec. 3913.201. ELECTIONS REGARDING TAXES AND BONDS.

8 (a) The district may issue, without an election, bonds, notes, and
9 other obligations secured by:

10 (1) revenue other than ad valorem taxes; or

11 (2) contract payments described by Section 3913.203.

12 (b) The district must hold an election in the manner
13 provided by Subchapter L, Chapter 375, Local Government Code, to
14 obtain voter approval before the district may impose an ad valorem
15 tax or issue bonds payable from ad valorem taxes.

16 (c) Section 375.243, Local Government Code, does not apply
17 to the district.

18 (d) All or any part of any facilities or improvements that
19 may be acquired by a district by the issuance of its bonds may be
20 submitted as a single proposition or as several propositions to be
21 voted on at the election.

22 Sec. 3913.202. OPERATION AND MAINTENANCE TAX. (a) If
23 authorized by a majority of the district voters voting at an
24 election held in accordance with Section 3913.201, the district may
25 impose an operation and maintenance tax on taxable property in the
26 district in accordance with Section 49.107, Water Code, for any
27 district purpose, including to:

1 (1) maintain and operate the district;

2 (2) construct or acquire improvements; or

3 (3) provide a service.

4 (b) The board shall determine the tax rate. The rate may not
5 exceed the rate approved at the election.

6 Sec. 3913.203. CONTRACT TAXES. (a) In accordance with
7 Section 49.108, Water Code, the district may impose a tax other than
8 an operation and maintenance tax and use the revenue derived from
9 the tax to make payments under a contract after the provisions of
10 the contract have been approved by a majority of the district voters
11 voting at an election held for that purpose.

12 (b) A contract approved by the district voters may contain a
13 provision stating that the contract may be modified or amended by
14 the board without further voter approval.

15 Sec. 3913.204. AUTHORITY TO BORROW MONEY AND TO ISSUE BONDS
16 AND OTHER OBLIGATIONS. (a) The district may borrow money on terms
17 determined by the board. Section 375.205, Local Government Code,
18 does not apply to a loan, line of credit, or other borrowing from a
19 bank or financial institution secured by revenue other than ad
20 valorem taxes.

21 (b) The district may issue bonds, notes, or other
22 obligations payable wholly or partly from ad valorem taxes,
23 assessments, impact fees, revenue, contract payments, grants, or
24 other district money, or any combination of those sources of money,
25 to pay for any authorized district purpose.

26 Sec. 3913.205. TAXES FOR BONDS. At the time the district
27 issues bonds payable wholly or partly from ad valorem taxes, the

1 board shall provide for the annual imposition of a continuing
2 direct annual ad valorem tax, without limit as to rate or amount,
3 for each year that all or part of the bonds are outstanding as
4 required and in the manner provided by Sections 54.601 and 54.602,
5 Water Code.

6 SUBCHAPTER F. DEFINED AREAS

7 Sec. 3913.251. AUTHORITY TO ESTABLISH DEFINED AREAS OR
8 DESIGNATED PROPERTY. The district may define areas or designate
9 certain property of the district to pay for improvements,
10 facilities, or services that primarily benefit that area or
11 property and do not generally and directly benefit the district as a
12 whole.

13 Sec. 3913.252. PROCEDURE FOR ELECTION. (a) Before the
14 district may impose an ad valorem tax or issue bonds payable from ad
15 valorem taxes of the area defined or property designated under
16 Section 3913.251, the board shall call and hold an election in the
17 defined area or within the boundaries of the designated property
18 only.

19 (b) The board may submit the proposition to the voters on
20 the same ballot to be used in another election.

21 Sec. 3913.253. DECLARING RESULT AND ISSUING ORDER. (a) If
22 a majority of the voters voting at the election approve the
23 proposition or propositions, the board shall declare the results
24 and, by order, shall establish the defined area and describe it by
25 metes and bounds or designate the specific property.

26 (b) The board's order is not subject to judicial review
27 except on the grounds of fraud, palpable error, or arbitrary and

1 confiscatory abuse of discretion.

2 Sec. 3913.254. TAXES FOR SERVICES, IMPROVEMENTS, AND
3 FACILITIES IN DEFINED AREAS OR DESIGNATED PROPERTY. On voter
4 approval and adoption of the order described by Section 3913.253,
5 the district may apply separately, differently, equitably, and
6 specifically its taxing power and lien authority to the defined
7 area or designated property to provide money to construct,
8 administer, maintain, and operate services, improvements, and
9 facilities that primarily benefit the defined area or designated
10 property.

11 Sec. 3913.255. ISSUANCE OF BONDS FOR DEFINED AREAS OR
12 DESIGNATED PROPERTY. After the order under Section 3913.253 is
13 adopted, the district may issue bonds to provide for any land,
14 improvements, facilities, plants, equipment, and appliances for
15 the defined area or designated property.

16 SECTION 2. The Burnet County Improvement District No. 1
17 initially includes all territory contained in the following area:

18 A DESCRIPTION OF 412.315 ACRES, BEING OUT OF THE MARIA C.
19 SALINAS SURVEY NO. 17, ABSTRACT NO. 776, THE W.W. BURTON SURVEY NO.
20 15, ABSTRACT NO. 1809, THE MARK GRIGSBY SURVEY NO. 530, ABSTRACT NO.
21 332 AND THE G.T. R.R. CO. SURVEY NO. 344, ABSTRACT NO. 2755 IN
22 BURNET COUNTY, TEXAS, COMPRISED OF THE FOLLOWING TRACTS OF LAND:

23 ALL OF A 334.08 ACRE TRACT CONVEYED TO RALPH B. THOMAS AND
24 BETTE P. THOMAS IN A GENERAL WARRANTY DEED DATED FEBRUARY 5, 2007
25 AND RECORDED IN DOCUMENT NO. 0701526 OF THE OFFICIAL PUBLIC RECORDS
26 OF BURNET COUNTY, TEXAS.

27 A PORTION OF TRACTS II (CALLED 44.998 ACRES), IIIA (CALLED

26.923 ACRES) AND ALL OF TRACT IIIB (CALLED 9.801 ACRES) CONVEYED TO RALPH BOWMAN THOMAS IN A GENERAL WARRANTY DEED DATED FEBRUARY 21, 1994 AND RECORDED IN VOLUME 592, PAGE 99 OF THE REAL PROPERTY RECORDS OF BURNET COUNTY, TEXAS, DULY RECORDED IN VOLUME 12112, PAGE 1719 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, AND BY QUITCLAIM DEED DATED JANUARY 19, 1999 AND RECORDED IN VOLUME 13366, PAGE 1241 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS.

ALL OF A 10.15 ACRE TRACT CONVEYED TO RALPH BOWMAN THOMAS IN A GENERAL WARRANTY DEED DATED MARCH 10, 1994 AND RECORDED IN VOLUME 596, PAGE 477 OF THE REAL PROPERTY RECORDS OF BURNET COUNTY, TEXAS.

A PORTION OF A 10.0 ACRE TRACT CONVEYED TO RALPH BOWMAN THOMAS IN A GENERAL WARRANTY DEED DATED MARCH 30, 1994 AND RECORDED IN VOLUME 599, PAGE 115 OF THE REAL PROPERTY RECORDS OF BURNET COUNTY, TEXAS.

ALL OF A 10.07 ACRE TRACT CONVEYED TO RALPH BOWMAN THOMAS IN A GENERAL WARRANTY DEED DATED APRIL 26, 1994 AND RECORDED IN VOLUME 602, PAGE 463 OF THE REAL PROPERTY RECORDS OF BURNET COUNTY, TEXAS.

A PORTION OF AN 85.237 ACRE TRACT CONVEYED TO RALPH BOWMAN THOMAS IN A QUITCLAIM DEED DATED JANUARY 19, 1999 AND RECORDED IN VOLUME 13366, PAGE 1217 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS.

ALL OF A 10.00 ACRE TRACT CONVEYED TO RALPH BOWMAN THOMAS IN A WARRANTY DEED DATED JUNE 1, 1999 AND RECORDED IN DOCUMENT NO. 1999056870 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

SAID 412.315 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

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BEGINNING at a Mag nail found in concrete in the south right-of-way line of County Road 404 (right-of-way width varies), being the northwest corner of said 334.08 acre tract, being the northeast corner of a 316.681 acre tract described in Volume 1377, Page 647 of the Real Property Records of Burnet County, Texas;

THENCE with the south right-of-way line of County Road 404 and the north line of said 334.08 acre tract, the following five (5) courses and distances:

1. South 67°38'54" East, a distance of 816.85 feet to an 8" cedar fence post found;

2. South 84°53'42" East, a distance of 527.84 feet to an 8" cedar fence post found;

3. North 78°47'35" East, a distance of 754.99 feet to a 1/2" rebar with "Chaparral" cap set;

4. South 74°47'17" East, a distance of 67.66 feet to an 8" cedar fence post found;

5. South 51°23'59" East, a distance of 750.72 feet to an 8" cedar fence post found for the northeast corner of said 334.08 acre tract, being the northwest corner of a 13 acre tract described in Volume 530, Page 500 of the Real Property Records of Travis County, Texas;

THENCE South 01°54'37" East, with the east line of said 334.08 acre tract and the west line of the said 13 acre tract, a distance of 951.09 feet to a 1/2" rebar found for the southwest corner of said 13 acre tract, being the northwest corner of said 9.801 acre tract;

THENCE South 84°53'45" East, with the north line of said 9.801 acre tract and the south line of said 13 acre tract, a distance of

1 1159.53 feet to a spindle with "Chaparral" washer set for an angle
2 point in the west line of said 44.998 acre tract;

3 THENCE North 02°45'53" West, crossing said 13 acre tract, with
4 the west line of said 44.998 acre tract, a distance of 225.13 feet
5 to a 1/2" rebar with cap found in the south right-of-way line of
6 Paleface Ranch Road (right-of-way width varies), being the
7 northwest corner of said 44.998 acre tract;

8 THENCE with the south right-of-way line of Paleface Ranch
9 Road and the north line of said 44.998 acre tract, the following
10 eight (8) courses and distances:

11 1. South 85°07'39" East, a distance of 185.55 feet to a 1/2"
12 rebar with "Chaparral" cap set;

13 2. South 70°29'30" East, a distance of 75.84 feet to a 1/2"
14 rebar found;

15 3. South 63°32'09" East, a distance of 141.62 feet to a 1/2"
16 rebar found;

17 4. South 61°56'20" East, a distance of 65.77 feet to a 1/2"
18 rebar found;

19 5. South 53°33'04" East, a distance of 26.35 feet to a 1/2"
20 rebar found;

21 6. South 45°49'56" East, a distance of 128.13 feet to a 1/2"
22 rebar found;

23 7. South 28°54'03" East, a distance of 104.91 feet to a 1/2"
24 rebar with "Chaparral" cap set;

25 8. South 18°11'27" East, a distance of 150.82 feet to a
26 calculated point in the southeast line of Burnet County, being the
27 northwest line of Travis County, from which a calculated angle

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1 point in said County line at grid coordinates N 10141050.73, E
2 3000806.96, bears North 28°40'00" East, a distance of 6413.89 feet,
3 and also from which a 1-1/4" iron pipe found in the southwest
4 right-of-way line of Paleface Ranch Road, being the northeast
5 corner of said 44.998 acre tract, being the northernmost corner of
6 said 85.237 acre tract, bears South 18°11'27" East, a distance of
7 6.22 feet, then South 05°12'24" East, a distance of 10.82 feet;

8 THENCE South 28°40'00" West, crossing said 44.998 acre tract,
9 said 10.0 acre tract described in Volume 599, Page 115, said 26.923
10 acre tract, and said 85.237 acre tract, with said county line, a
11 distance of 3561.58 feet to a calculated point in the south line of
12 said 334.08 acre tract, being in the north line of a 709.419 acre
13 tract described in Document No. 2006005737 of the Official Public
14 Records of Travis County, Texas, from which a calculated point at
15 the location of a 6" by 6" by 44" tall concrete monument, grid
16 coordinates N 10125649.79, E 2992386.79, marking the intersection
17 of Travis, Burnet and Blanco counties and referenced in Document
18 No. 2006005737 of the Official Public Records of Travis County,
19 Texas, bears South 28°40'00" West, a distance of 7578.73 feet, and
20 also from which a 1/2" rebar with "RPLS 4532" cap found for the
21 southeast corner of said 334.08 acre tract, being the northeast
22 corner of said 709.419 acre tract, also being an angle point in the
23 west line of said 26.923 acre tract, bears North 88°39'23" East, a
24 distance of 4.08 feet;

25 THENCE South 88°39'23" West, with the south line of said
26 334.08 acre tract and the north line of said 709.419 acre tract, a
27 distance of 2317.20 feet to a 1/2" rebar found for the northwest

1 corner of said 709.419 acre tract, being the northeast corner of a
2 680.247 acre tract described in Document No. 0709805 of the
3 Official Public Records of Burnet County, Texas;

4 THENCE South 88°53'11" West, with the south line of said
5 334.08 acre tract and the north line of said 680.247 acre tract, a
6 distance of 977.10 feet to a 1/2" rebar found for the southwest
7 corner of said 334.08 acre tract, being an angle point in the north
8 line of said 680.247 acre tract, being also the southeast corner of
9 said 316.681 acre tract;

10 THENCE with the west line of said 334.08 acre tract and the
11 east line of said 316.681 acre tract, the following two (2) courses
12 and distances:

13 1. North 05°26'58" East, a distance of 2358.74 feet to a 60d
14 nail found;

15 2. North 05°32'10" East, a distance of 2864.67 feet to the
16 POINT OF BEGINNING, containing 412.315 acres of land, more or less.

17 SECTION 3. (a) The legal notice of the intention to
18 introduce this Act, setting forth the general substance of this
19 Act, has been published as provided by law, and the notice and a
20 copy of this Act have been furnished to all persons, agencies,
21 officials, or entities to which they are required to be furnished
22 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
23 Government Code.

24 (b) The governor, one of the required recipients, has
25 submitted the notice and Act to the Texas Commission on
26 Environmental Quality.

27 (c) The Texas Commission on Environmental Quality has filed

1 its recommendations relating to this Act with the governor,
2 lieutenant governor, and speaker of the house of representatives
3 within the required time.

4 (d) The general law relating to consent by political
5 subdivisions to the creation of districts with conservation,
6 reclamation, and road powers and the inclusion of land in those
7 districts has been complied with.

8 (e) All requirements of the constitution and laws of this
9 state and the rules and procedures of the legislature with respect
10 to the notice, introduction, and passage of this Act have been
11 fulfilled and accomplished.

12 SECTION 4. This Act takes effect immediately if it receives
13 a vote of two-thirds of all the members elected to each house, as
14 provided by Section 39, Article III, Texas Constitution. If this
15 Act does not receive the vote necessary for immediate effect, this
16 Act takes effect September 1, 2013.